

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CARLOS KALMAR)	CASE NO. 1:24-cv-193
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
vs.)	
)	<u>PLAINTIFF'S CIVIL RULE 41(a)(2)</u>
THE CLEVELAND INSTITUTE)	<u>REQUEST FOR VOLUNTARY</u>
OF MUSIC, et al.)	<u>DISMISSAL WITHOUT PREJUDICE</u>
)	
Defendants.)	

Plaintiff Carlos Kalmar, by and through undersigned counsel, pursuant to Federal Civil Rule 41(a)(2), hereby requests an order dismissing this action without prejudice. Plaintiff previously notified the Court that he intends to forego pursuit of his pending Federal Title IX claim(s) at this time. With the understanding that the Court will not exercise supplemental jurisdiction over Plaintiff's pending state law claims independent of the Title IX claim, Plaintiff respectfully requests an order dismissing this action without prejudice to Plaintiff's right to file his state law claims in state court.

Respectfully submitted,

/s/ Nicholas A. DiCello
Nicholas A. DiCello (0075745)
Dennis R. Lansdowne (0026036)
Michael P. Lewis (0099621)
SPANGENBERG SHIBLEY & LIBER LLP
1001 Lakeside Avenue East | Suite 1700
Cleveland, OH 44114
Email: ndicello@spanglaw.com
Email: dlansdowne@spanglaw.com
Email: mlewis@spanglaw.com
Phone: (216) 696-3232 | Fax: (216) 696-3924

James R. Wooley (Ohio Bar No. 0033850)
Hilow & Spellacy Co., LLC
323 W. Lakeside Ave., # 200

Cleveland, OH 44113
Telephone: 216-344-9220
jwooley@mghslaw.com

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of July 2024, a copy of the foregoing was filed electronically. Notice of filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ Nicholas A. DiCello

Nicholas A. DiCello (0075745)
Dennis R. Lansdowne (0026036)
Michael P. Lewis (0099621)

Counsel for Plaintiff